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PART IV—2.C (ii)

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Food Secretariat

ORDER.

Bangalore, dated the 6th October 1965.

S.O. 3253. In exercise of the powers conferred by sub-rules (2) and (3) of rule 125 of the Defence of India Rules, 1962, and of all other powers hereunto enabling and with the prior concurrence of the Central Government, the Government of Mysore hereby makes the following Order, namely :—

1. Title, extent and commencement.—(1) This Order may be called the Mysore Local Wheat Procurement (Levy) Order, 1965.

(2) It extends to the whole of the State of Mysore.

(3) It shall come into force on the 7th October 1965.

2. Definitions.—In this Order, unless the context otherwise requires,—

(*a*) " Chavadi " shall have the same meaning as in the Mysore Land Revenue Act, 1964 ;

(*b*) " Enforcement Officer " means (i) the Director of Food Supplies in Mysore for the whole of the State of

Mysore ; (ii) the Deputy Commissioner, the Assistant Commissioner and the Tahsildar, within their respective jurisdictions ; (iii) an officer not below the rank of a Revenue Inspector appointed by order by the Deputy Commissioner of the District as Enforcement Officer within such area as the Deputy Commissioner may specify in such order ;

(*c*) " grower " means every person who grows local wheat on land in his possession which he holds as land-holder, tenant, mortgagee with possession or in any other capacity, or in more than one such capacity ;

(*d*) " holding " means the land or lands held by a grower ;

(*e*) " local wheat " means wheat grown in the State of Mysore ;

(*f*) " Purchase Officer " means the Director of Food Supplies in Mysore, for the whole of the State of Mysore and the Deputy Commissioner, the Assistant Commissioner and the Tahsildar, within their respective jurisdictions ;

(*g*) " purchase price " means—

(i) in respect of red wheat, fifty-five rupees per quintal ;

(ii) in respect of white wheat, sixty rupees per quintal ;

(*h*) " Schedule " means the Schedule appended to this order.

3. Levy on local wheat.—(1) Every grower shall, out of the local wheat grown on his holding and held by him in stock, sell to the Purchase Officer at the purchase price such quantity of local wheat determined in accordance with the scales specified in the Schedule.

(2) The local wheat required to be sold under sub-clause (1) shall be delivered by the grower to the Purchase Officer or such other person as may be authorised in this

behalf by the Purchase Officer, at the Chavadi or at such other place as may be notified by the Tahsildar.

Explanation.—For the purpose of this clause, local wheat in the possession or control of the grower immediately after it is harvested shall be deemed to be local wheat held in stock by the grower.

4. Liability of tenant for payment of rent in cash in lieu of rent in kind.—(1) Where a grower who is a tenant liable to pay rent in kind to the landlord sells local wheat to the Purchase Officer under clause 3, the rent payable by him shall, as far as possible, be partly in cash and partly in kind, the amount payable in cash and kind being determined in accordance with the provisions of sub-clause (2).

(2) (*a*) The part of the rent payable in cash under sub-clause (1) from out of the total amount of purchase price received by the grower shall be in the same proportion as the rent payable in kind by such tenant to the landlord bears to the total quantity of local wheat grown on the land.

(*b*) The part of rent payable in kind under sub-clause (1) shall be the quantity of local wheat payable as rent after deducting the quantity in respect of which the rent is payable in cash under paragraph (*a*).

Illustration.—'A', a grower, holds eight acres of land leased to him by his landlord, 'B'. 'A' grows 15 quintals of local wheat on the land of which he is liable to pay as rent to 'B', 3 quintals. 'A' sells 175 Kgs. to the Purchase Officer under clause 3 of this Order. As the rent payable is one-fifth of the quantity grown, 'A' will be liable to pay one-fifth of the Purchase Price received by him as cash rent, and as rent in kind, 265 Kgs. of local wheat.

5. Grant of Certificate.—The Purchase Officer after purchasing the stock of local wheat from the grower under clause 3 shall grant a certificate specifying the quantity of local wheat so purchased and the quantity of local wheat remaining with the grower.

6. **Powers of entry, search and seizure.**—Any Enforcement Officer may, with a view to securing compliance with this Order or to satisfy himself that the provisions of this Order have been complied with—

(*a*) enter, inspect or search any premises, place, vehicle or vessel in which he has reason to believe that a contravention of this Order has been, is being, or is about or likely to be, committed ;

(*b*) enter into, search or inspect any vehicle or vessel or other conveyance used or intended to be used for the movement of local wheat ;

(*c*) seize the stock of local wheat in respect of which the officer has reason to believe that a contravention of this Order has been, or is being, or is about or likely to be, committed along with the packages, coverings or receptacles in which such local wheat is found, or vehicles, vessels, or other conveyances used in carrying such local wheat and thereafter take action in accordance with sub-rule (7) of rule 125 of the Defence of India Rules, 1962.

SCHEDULE

[*See* clause 3 (1)]

Scale for sale of local wheat.

(1)	In respect of the first acre of the holding of the grower.	Nil.
(2)	In respect of every acre of the next nine acres of the holding of the grower.	Twenty-five Kilograms per acre.
(3)	In respect of every acre of the remaining acres of the holdings of the grower.	Thirty Kilograms per acre.

[No. RD 48 FWT 65.]

By Order and in the name of the Governor of Mysore,

HARISARVOTHAM RAO, *Under Secretary.*

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